

The State of Indiana, Allen County, ss:

The State of Indiana, County, ss:

We, the undersigned, hereby certify that the tabulation herein is the complete statement of votes cast at the Special Election, May 7, 1974, in the Precincts herein set forth in said County for SPECIAL ELECTION ON REFERENDUM. And from the statement of said canvass and estimate drawn up in tabular form as herein set forth, it is hereby certified,

In witness whereof, we hereunto subscribe our names, this _____ day of May, 1974.

Ransom & Terry
 St. W. Smith
 Robert O. Hanson

County Election
 Board and
 Ex-officio Board of
 Canvassers

[illegible]

Precinct Machine
Vote
Yes No

Precinct Machine
Vote
Yes No

St. Joe 259		205	72
" " 260		96	64
" " 261	A	141	31
" " 261	B	117	24
" " 262		163	43
Wayne 301		74	53
" 302		104	42
" 303		173	90
Wash 304		83	71
" 305		56	40
" 306		158	148
" 307		147	63
" 308	A	116	56
" 308	B	95	50
St. Joe 309		121	22
" " 310		106	25
Wash 311		113	68
Wayne 350		47	32
" 351		131	31
" 352		63	31
" 353		85	102
" 354		90	82
" 355	A	88	66
" 355	B	92	85
" 356		110	156
" 357		175	108
" 358	S-15	165	158
" 359		153	98
Wash 360		126	88
" 361		87	51
" 362		29	7
" 401		84	48
Wayne 402		71	68
" 402	S-15	17	18
" 403		55	80
" 404		59	80
" 405		18	22
" 405	S-15	11	22
" 406		48	57
" 407		112	38
" 408		84	62
" 409		57	51
" 410		83	63
" 411	A	68	45
" 411	B	58	42
" 412		38	18
" 413		201	56
" 414		145	84
" 415		114	42

Precinct	Machine	Vote	
		Yes	No
Wayne 416			
" 450		114	72
" 451		214	85
" 452	A	104	73
" 452	B	119	53
" 453		153	65
" 454		193	67
" 455		222	86
" 456		136	107
" 457	A	81	44
" 457	B	89	49
" 458		174	60
" 459		138	71
" 460		20	5
" 461		29	11
" 501		78	86
" 502		115	124
" 503		128	67
" 504		169	78
" 505	R-14	21	27
" 505	R-15	95	72
" 506		65	36
" 507		153	107
" 508		94	71
" 509		151	124
" 510		107	95
" 512		154	73
" 513		197	61
" 550	A	148	52
" 550	B	143	48
" 551		150	56
" 552		109	87
" 553		181	129
" 554	A	174	41
" 554	B	182	47
" 555	A	142	54
" 555	B	112	70
" 556		134	78
" 557		85	77
" 558		136	105
" 559		126	96
" 560		92	47
" 601		44	27
" 602		51	45
" 603		110	102
" 604		87	92
" 605		123	102
" 606		67	81
" 607		105	57

Precinct	Machine	Vote	
		Yes	No
Wayne 608		97	58
" 609		91	104
ADAMS 610		87	58
" 611		177	89
" 612		114	66
Wayne 650		118	97
" 651		117	87
" 652		106	72
" 653		77	64
" 654		93	62
" 655		104	85
ADAMS 656		158	46
" 657		129	85
" 658		240	78
" 659		177	79
" 660		178	50
" 661		137	69
ADAMS B City		0	0
Pleasant A City		0	0
Totals		17,589	10,386

BILL NO. G-74-05-49

GENERAL ORDINANCE NO. G- 18-74

AN ORDINANCE confirming Declaratory Resolution No. R-13-74 and the execution of the policy thereof, and authorizing and directing the execution and performance of the contract for lease of the municipal electric utility system owned and operated by the City of Fort Wayne, Indiana, to Indiana & Michigan Electric Company

WHEREAS, the Common Council of the City of Fort Wayne, Indiana (Common Council) at its regular meeting held on March 12, 1974, adopted its Declaratory Resolution No. R-13-74 (hereinafter referred to as "Declaratory Resolution"), which included, and made a part thereof, the contract for lease of the municipal electric utility system, with certain exceptions (hereinafter referred to as "Lease Agreement") owned and operated by the City of Fort Wayne, Indiana (hereinafter referred to as "City"), to Indiana & Michigan Electric Company (hereafter referred to as "Company"):

WHEREAS, the Declaratory Resolution provided that the Common Council shall, and does pursuant to such Resolution, submit to the qualified voters of the City such Resolution at a special election called and to be held in Fort Wayne, Indiana on the 7th day of May, 1974, all in accordance with the law in such case made and provided;

WHEREAS, notice of said special election was published in accordance with the law on April 17, 1974 and April 24, 1974 in the Fort Wayne Journal-Gazette and the Fort Wayne News-Sentinel, newspapers printed and of general circulation in Fort Wayne;

WHEREAS, upon due and legal notice such special election was called and held in accordance with the law on May 7, 1974, and at such special election 17,589 votes were cast For the Declaratory Resolution and 10,386 votes were cast Against the Declaratory Resolution;

WHEREAS, the Public Service Commission of Indiana by its Order entered on March 29, 1974 in its Cause No. 33638 has given, in the manner and to the extent required by law, its authorization to, and approval of, the Lease Agreement; and

WHEREAS, it is the opinion of the Common Council that there is necessity for the City to enter into the Lease Agreement, and it is in the best interest of the City so to do.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Declaratory Resolution be, and the same is, hereby confirmed, and the City and its Common Council shall proceed to execute the policy thereof.

SECTION 2. The Mayor is hereby authorized to execute, and the City Clerk to attest, the Lease Agreement in the form included in and made a part of the Declaratory Resolution and the Mayor is further authorized and the City Clerk to attest, all other instruments, documents and papers supplemental or incidental to said Lease agreement and all instruments, documents and papers necessary or proper in connection with the execution of the Lease Agreement by the City.

SECTION 3. The proper officers of the City as provided by law and the Lease Agreement, be and they are hereby, authorized and empowered to execute any and all instruments, documents and papers, and do or cause to be done any and all acts or things, necessary or proper in order to perform and comply with all the obligations and undertakings of the City under the Lease, and to obtain compliance and performance by the Company of all its obligations and undertakings under the Lease Agreement.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication.



Councilman

APPROVED AS TO FORM
AND LEGALITY,



CITY ATTORNEY

Read the first time in full and on motion by Burns, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on City Utilities (and the City-Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 5-28-74

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. Passed (~~LOST~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	<u>X</u>	_____	_____	_____
HINGA	<u>X</u>	_____	_____	_____
KRAUS	<u>X</u>	_____	_____	_____
MOSES	<u>X</u>	_____	_____	_____
NUCKOLS	<u>X</u>	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____

DATE: 6-11-74

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. 9-18-74 on the 11th day of June, 1974.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDENT OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P. M., E.S.T.

John A. Sarnoff
MAYOR

Bill No. G-74-05-49

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance confirming Declaratory Resolution No. R-13-74 and the execution of the policy thereof, and authorizing and directing the execution and performance of the contract for lease of the municipal electric utility system owned and operated by the City of Fort Wayne, Indiana, to Indiana & Michigan Electric Company.

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance ad PASS.

Paul M. Burns - Chairman

James S. Stier - Vice-Chairman

Vivian G. Schmidt

Donald J. Schmidt

Eugene Kraus, Jr.

CONCURRED IN

DATE 6-11-74 CHARLES W. WESTERMAN, CITY CLERK



City of Fort Wayne

OFFICE OF THE CITY CLERK
ROOM 120, CITY-COUNTY BUILDING
ONE EAST MAIN ST., FORT WAYNE, INDIANA 46802

June 11, 1974

CHARLES W. WESTERMAN, CLERK
TELEPHONE 219-423-7183

Mayor Ivan A. Lebamoff & Members of Common Council
City of Fort Wayne

Dear Mayor & Councilmen:

This will confirm to the Mayor of the City of Fort Wayne and the nine members of the Common Council of the City of Fort Wayne that the office of the City Clerk has certified on the eleventh day of June, 1974, the results of the County Election Board and ex officio Board of Canvassers, Ramon S. Perry, Stephen W. Crider and Robert D. Hanson.

Said Election Board on the 10th day of June, 1974, certified to me upon request, the official results of the special election on the Referendum held on May 7, 1974. Said certificate of certification reflects the results the City of Fort Wayne voted on the question "for" and "against" the Declaratory Resolution No. R-13-74, duly adopted March 12, 1974, by you, the members of the Common Council.

The enclosed certificate of certification was delivered this date to the Honorable Ivan A. Lebamoff, Mayor of the City of Fort Wayne, together with canvass report and certificate referred to above.

The above action on behalf of the people of the City of Fort Wayne is hereby entered by spreading the enclosed results of the Declaratory Resolution and results of the referendum now official in the permanent Journal of the Common Council of the City of Fort Wayne, in regular session on June 11, 1974.

With best regards and my best wishes, and with the return of a clear majority from this referendum, I have attached hereto the results to Bill No. 74-05-49 and ordinance confirming the Declaratory Resolution R-13-74 and execution of the policy thereof and authorizing and directing the execution and performance of the contract for lease of the municipal electric utility system owned and operated by the City of Fort Wayne, Indiana, to Indiana & Michigan Electric Company. Upon legal completion of action, by me the City Clerk of Fort Wayne, I remain,

Respectfully yours,

MADE A MATTER OF RECORD

DATE _____ CHARLES W. WESTERMAN, CITY CLERK

Charles W. Westerman
Charles W. Westerman, City Clerk

STATE OF INDIANA)
)
COUNTY OF ALLEN) SS: CERTIFICATE
)
CITY OF FORT WAYNE)

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify to the Common Council of the City of Fort Wayne, Indiana that:

1. Pursuant to the requirements of Declaratory Resolution No. R-13-74, adopted by you on March 12, 1974, a Special Election was called and held in the City of Fort Wayne, Indiana, on May 7, 1974 in which the following referendum was submitted to the qualified voters of said city: "Are you in favor of Declaratory Resolution No. R-13-74 authorizing the lease of the municipal electric utility owned and operated by the City of Fort Wayne, Indiana, to Indiana & Michigan Electric Company?"

2. The said Special Election was called and held pursuant to notice and in accordance with all requirements of law to the best of my knowledge, information and belief.

3. The County Election Board and Ex officio Board of Canvassers of Allen County, Indiana, have certified to me that, in said Special Election, 17,589 votes were cast "FOR" and in favor of said Declaratory Resolution and 10,386 votes were cast "AGAINST" and opposed to said Declaratory Resolution; and that, accordingly, more than a majority of all the votes

cast in such election were in favor of said Declaratory Resolution.

WITNESS MY HAND AND THE SEAL OF THE CITY OF Fort Wayne, Indiana, this 11th day of June, 1974.



Charles W. Westerman
Clerk of the
City of Fort Wayne, Indiana

MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

The State of Indiana, Allen County, ss;

We, the undersigned, County Election Board and Ex officio Board of Canvassers, do hereby certify that the tabulation attached hereto and made a part hereof, and identified as and consisting of five "Canvassers Sheets For Special Election On Referendum," is the full, true and complete statement of the votes cast at the Special Election held in the City of Fort Wayne ("City") on May 7, 1974 "FOR" and "AGAINST" Declaratory Resolution No. R-13-74 duly adopted on March 12, 1974 by the Common Council of the City; that from said tabulation, as taken from the certificates, poll sheets and tally sheets returned by the inspectors of the precincts in the City; it is hereby further certified that 17,589 votes were cast "For" and in favor of said Declaratory Resolution at said Special Election and 10,386 votes were cast "Against" and opposed to said Declaratory Resolution; and that, accordingly, more than a majority of all the votes cast at such election were in favor of said Declaratory Resolution.

IN WITNESS WHEREOF, we hereunto subscribe our names, this

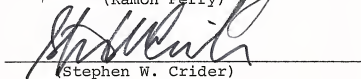
10th

day of June, 1974.

MADE A MATTER OF RECORD

DATE _____ CHARLES W. WESTERMAN, CITY CLERK


(Ramon Perry)


(Stephen W. Crider)


(Robert D. Hanson)

County Election Board and
Ex officio Board of Canvassers



*Received by Charles W.
Westerman, City Clerk by his
Deputy David Hester on the
above date.*

Arthur Niemeyer
James B. Hearn

Memorandum

To _____ Date _____

From _____

Subject _____

COPIES TO:

city utilities

*get digest sheet
asap.*

DIGEST SHEETTITLE OF ORDINANCE GENERAL ORDINANCEG 74-05-49

DEPARTMENT REQUESTING ORDINANCE _____

SYNOPSIS OF ORDINANCE Confirming the policy of Declaratory Resolution No. R-13-74and directing the execution of the proposed contract for the lease of the municipalelectric utility, and directing the performance of said leaseEFFECT OF PASSAGE Execution of the lease with Indiana & Michigan

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) Regulation City Utilities



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

June 13, 1974

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of June 15 and June 22, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of
Fort Wayne, Indiana, Public Legal
Notice for the following:

Annexation Ordinance No. X-01-74

Annexation Ordinance No. X-02-74

General Ordinance No. G-16-74

General Ordinance No. G-18-74

Please send us six (6) copies of each newspaper of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman

CWW/ne

ENCL: 4

Fort Wayne Common Council
(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

Notice is hereby given that on the 11th day of June, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-74-05-G-18-74 General Ordinance to-wit:

BILL NO. G-74-05-G

AN ORDINANCE confirming Declaratory Resolution No. R-13-74 and the execution of the policy thereof, and authorizing and directing the execution and performance of the contract for lease of the municipal electric utility system owned and operated by the City of Fort Wayne, Indiana, to Indiana & Michigan Electric Company.

WHEREAS, the Common Council of the City of Fort Wayne, Indiana (Common Council) at its regular meeting held on March 12, 1974, adopted its Declaratory Resolution No. R-13-74 (hereinafter referred to as "Declaratory Resolution"), which included, and made a part thereof, the contract for lease of the municipal electric utility system, with certain exceptions (hereinafter referred to as "Lease Agreement") owned and operated by the City of Fort Wayne, Indiana (hereinafter referred to as "City"), to Indiana & Michigan Electric Company (hereinafter referred to as "Company");

WHEREAS, the Declaratory Resolution provided that the Common Council shall, and does pursuant to such Resolution, submit to the qualified voters of the City such Resolution at a special election called and to be held in Fort Wayne, Indiana on the 7th day of May, 1974, all in accordance with the law in this respect so provided;

WHEREAS, notice of said special election was published in accordance with the law on April 17, 1974 and April 24, 1974 in the Fort Wayne Journal-Gazette and the Fort Wayne News-Sentinel, newspapers printed and of general circulation in Fort Wayne;

WHEREAS, upon due and legal notice such special election was called and held in accordance with the law on May 7, 1974, and at such special election 17,589 votes were cast in favor of the Declaratory Resolution and 10,386 votes were cast against the Declaratory Resolution;

WHEREAS, the Public Service Commission of Indiana by its Order entered on March 26, 1974 in its Cause No. 2868 has given, in the manner and to the extent required by law, its authorization to, and approval of the Lease Agreement; and

WHEREAS, it is the opinion of the Common Council that there is necessity for the City to enter into the Lease Agreement, and it is in the best interest of the City so to do.

NOW THEREFORE, BE IT ORDERED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Declaratory Resolution be, and the same is, hereby confirmed, and the City and its Common Council shall proceed to execute the policy thereof.

SECTION 2. The Mayor is hereby authorized to execute, and the City Clerk to attest, the Lease Agreement in the form included in and made a part of the Declaratory Resolution and the Mayor is further authorized and the City Clerk to attest, all other instruments, documents and papers supplemental or incidental to said Lease Agreement and all instruments, documents and papers necessary or proper in connection with the execution of the Lease Agreement by the City.

SECTION 3. The proper officers of the City as provided by law and the Lease Agreement, be and they are hereby, authorized and empowered to execute any and all instruments, documents and papers, and do or cause to be done any and all acts or things, necessary or proper in order to perform and comply with all the obligations and undertakings of the City under the Lease, and to obtain compliance and performance by the Company of all its obligations and undertakings under the Lease Agreement.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication.

Paul M. Burns,
Commissioner
Read the third time in full and on motion by Burns seconded by Hingoo, and duly adopted, placed on its passage, PASSED by the following vote:
Ayes: Nine
Burns, Hingoo, Kraus, Moses, Nuckolls, D. Schmidt, W. Schmidt, Siler, Talarico.
Nays: None
Date: 6-11-74

Charles W. Westernman
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on the 11th day of June, 1974.
ATTEST: (SEAL)
Charles W. Westernman
City Clerk

Samuel J. Talarico
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westernman
City Clerk
Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-74-05-G, passed by the Common Council on the 11th day of June, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of June, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of June, 1974.

Charles W. Westernman
City Clerk

er (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) number of equivalent lines

er of lines

er of lines

er of lines

number of lines in notice

ES

1 column wide equals 146 equivalent lines at .288¢ per line

Large for notices containing rule or tabular work (50 per cent of above

tra proofs of publication (50 cents for each proof in excess of two)

L AMOUNT OF CLAIM

COST

e column 11 ems

Size of type 5 1/2 point

sections..... 2.....

Size of quad upon which type is cast 5 1/2

and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just (the same has been paid.

, 19 74

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned.....V. E. Gerken.....who, being duly sworn, says

that.....She is.....Clerk.....of the

NEWS-SENTINEL

DAILY

a.....newspaper of general circulation printed and published in the English language in the City of.....FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for.....two.....

time.....the dates of publication being as follows:

6/15-22/74

Subscribed and sworn to before me this.....24th.....June.....19 74

Notary Public

My commission expires.....October 25, 1975

Fort Wayne Common Council
(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

146

2

146

COMPUTATION OF CHARGES

146 lines, 1 column wide equals 146 equivalent lines at .288¢
cents per line \$42.05

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$44.05

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 24, 1974

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. Gerken

that S he is Clerk of the

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times the dates of publication being

6/15-22/74

Subscribed and sworn to before me this 24th June 1974

My commission expires October 25, 1975

Notary Public

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Notice is hereby given that on the 11th day of June, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Ordinance No. G-18-74 General Ordinance, to-wit:

BILL NO. G-74-95
GENERAL ORDINANCE NO. G-18-74.
AN ORDINANCE confirming Declaratory Resolution No. R-12-74 and the execution of the policy thereof, and authorizing and directing the execution and performance of the contract for lease of the municipal electric utility system owned and operated by the City of Fort Wayne, Indiana, to Indiana & Michigan Electric Company.

WHEREAS, the Common Council of the City of Fort Wayne, Indiana (Common Council) at its regular meeting held on March 12, 1974, adopted its Declaratory Resolution No. R-12-74 (hereinafter referred to as "Declaratory Resolution"), which included, and made a part thereof, the contract for lease of the municipal electric utility system, with certain exceptions (hereinafter referred to as "Lease Agreement"), owned and operated by the City of Fort Wayne, Indiana (hereinafter referred to as "City"), to Indiana & Michigan Electric Company (hereafter referred to as "Company").

WHEREAS, the Declaratory Resolution provided that the Common Council shall, and does pursuant to such Resolution, submit to the qualified voters of the City such a special election called and held to be held in Fort Wayne, Indiana on the 7th day of May, 1974, all in accordance with the law in such case made and provided;

WHEREAS, notice of said special election was published in accordance with the law on April 17, 1974 and April 24, 1974 in the Fort Wayne Journal-Gazette and the Fort Wayne News-Sentinel, newspapers printed and of general circulation in Fort Wayne;

WHEREAS, upon due and legal notice such special election was called and held in accordance with the law on May 7, 1974, and of such special election 17,587 votes were cast for the Declaratory Resolution and 10,386 votes were cast Against the Declaratory Resolution;

WHEREAS, the Public Service Commission of Indiana by its Order entered on March 29, 1974 in its Cause No. 3503 has given, in the manner and to the extent required by law, its authorization to, and approval of, the Lease Agreement; and

WHEREAS, it is the opinion of the Common Council that there is necessity for the City to enter into the Lease Agreement, and it is in the best interest of the City so to do.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Declaratory Resolution be, and the same is, hereby confirmed, and the City and its Common Council shall proceed to execute the policy thereof.

SECTION 2. The Mayor is hereby authorized to execute, and the City Clerk to certify, the Lease Agreement in the form included in and made a part of the Declaratory Resolution and the Mayor is further authorized to execute, and the City Clerk to certify, all instruments, documents and papers supplemental or incidental to said Lease Agreement and all instruments, documents and papers necessary or proper in connection with the execution of the Lease Agreement by the City.

SECTION 3. The proper officers of the City as provided by law and the Lease Agreement, be and they are hereby, authorized and empowered to execute any and all instruments, documents and papers, and do or cause to be done any and all acts or things, necessary or proper in order to perform and comply with all the obligations and undertakings of the City under the Lease, and to obtain compliance and performance by the Company of all its obligations and undertakings under the Lease Agreement.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication.

Paul A. Burns,
Counclimann
By Burns, seconded by Hings, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Nine
Burns, Hings, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico.
Nays: None
Dof: 6-1-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-18-74 on the 11th day of June, 1974.

AT TEST: Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk
Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebonoff
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-18-74 passed by the Common Council on the 11th day of June, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of June, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of June, 1974.

Charles W. Westerman
City Clerk

(Must not exceed two actual lines, neither of which shall total more than two solid lines of the type in which the body of the advertisement is set) Number of equivalent lines

Number of lines

Number of lines

Number of lines

Number of lines in notice

ES

1 columns wide equals 146 equivalent lines at 288¢ per line

Charge for notices containing rule or tabular work (50 per cent of above)

Extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

COST

Per column 11 ems

Size of type 5 1/2 point

Sections 2

Size of quad upon which type is cast 5 1/2

Penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

Arvilla De Wald

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DE WALD

who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the City of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

6/15-22/74

Subscribed and sworn to before me this 24th day of June 1974

Arvilla De Wald

Notary Public

My commission expires October 25, 1975

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

144

2

146

COMPUTATION OF CHARGES

146 lines, 1 columns wide equals 146 equivalent lines at 288¢ cents per line

42.05

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

44.05

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 24, 1974

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

6/15-22/74

Subscribed and sworn to before me this 24 day of June 1974

My commission expires October 25, 1975

Notary Public

Notice is hereby given that on the 11th day of June, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 74-05-49 G-18-74 General Ordinance, to-wit: BILL NO. G-74-05-49 AN ORDINANCE confirming Declaratory Resolution No. R-13-74 and the execution of the policy thereof, and authorizing and the contract for lease of the municipal electric utility system owned and operated by the City of Fort Wayne, Indiana, to Indiana Michigan Electric Company.

WHEREAS, the Common Council of the City of Fort Wayne, Indiana (Common Council) at its regular meeting held on March 12, 1974, adopted its Declaratory Resolution No. R-13-74 (hereinafter referred to as "Declaratory Resolution"), which included, and made a part thereof, a contract for lease of the municipal electric utility system, with certain exceptions, hereinafter referred to as "Lease Agreement", owned and operated by the City of Fort Wayne, Indiana (hereinafter referred to as "City"), to Indiana & Michigan Electric Company (hereinafter referred to as "Company");

COPY OF
SENT HERE

Head:
W & W Concrete
Builders Supply

action!
:40 P.M.